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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/399,902	09/21/1999	TYSON A. SINGER	99P7816US	2809

7590 12/12/2003

SIEMENS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
186 WOOD AVENUE SOUTH  
ISELIN, NJ 08830

EXAMINER
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NAJJAR, SALEH

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 12/12/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/399,902	SINGER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Saleh Najjar	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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1. This action is responsive to the amendment filed on September 29, 2003.

Claims 1, and 10 were amended. Claims 1-14 are pending. Claims 1-14 represent an apparatus and method for network auto discovery and configuration.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 9-10, and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Carcerano et al., U.S. Patent No. 6,308,205 (referred to hereafter as Carc).

Carc teaches the invention as claimed including a browser based network management for configuring a plurality of network devices (see abstract).

As to claim 1, Carc teaches a network management system, comprising:

a network; a plurality of telephony devices coupled to said network; and a server, said server including an auto-discovery unit configured to make a determination of the presence of configurable components associated with said plurality of telephony devices on said network by communicating with said telephony devices, said server further configured to provide a graphical user interface (GUI) based network map of said configurable components, wherein said server is further configured to automatically determine which others of said configurable components is interested in configuration information associated with said configurable components and propagate said configuration information to others of said configurable components (see figs. 1-9; col. 6-10; col. 11, lines 15-35, Carc discloses that a server polls network devices for configuration information and automatically propagates updated configuration information to the network devices, Carc further discloses that network devices are queried to respond to respond with information about the devices configuration information, those devices with acceptable responses are entered into the database to reflect the current status and configuration of the devices).

As to claim 2, Carc teaches the network management system according to Claim 1, said auto discovery unit configured to automatically make said determination of said presence of said configurable components and propagate said configuration information to said others of said network devices at predetermined intervals (see col. 6-12, Carc discloses that upon reconfiguration of network device information updated configuration information is propagated to the devices at certain intervals).

As to claim 3, Carc discloses the network management system according to Claim 2, wherein said auto-discovery unit is accessible from a device on said network (see figs. 1-9; col. 6-10, Carc discloses that a remote client including a browser has access to the server that tracks configuration data for the network devices).

As to claim 4, Carc teaches a network management system according to Claim 1, wherein said plurality of telephony devices including responder units, said responder units configured to provide said configuration information to said auto discovery unit and to receive updated from said auto-discovery unit (see figs. 1-3; col. 9-10, Carc discloses that a user can remotely request configuration data and update device data).

As to claims 5-6, Carc teaches a network management system according to Claim 4, said responder units comprising HTTP (hypertext transfer protocol) servers, and wherein said responder units comprising cgi-bin like programs. (see col. 9-14).

As to claim 9, Carc teaches network management system according to Claim 2, wherein said graphical user interface comprises a dynamic HTML page (see col. 9-14).

Claims 10, and 12-14 do not teach or define any new limitations above claims 1-6, 9 and therefore are rejected for similar reasons.

5. Claims 7-8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carc.

Carc teaches the invention substantially as claimed including a browser based network management for configuring a plurality of network devices (see abstract).

As to claim 7-8, Carc fails to teach the limitation wherein configuration information is presented in XML format. Carc does teach that cgi bin scripts are executed and that any script technology may be used to remotely configure and update a network device (see col. 9, lines 60-65).

However, "Official Notice" is taken that the concept and advantages of utilizing XML to represent information on the WEB is old and well known in the data processing art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carc by utilizing the XML format since doing so would provide an extremely simple dialect of SGML suitable for use on the World-Wide Web.

As to claim 8, Carc fails to teach the limitation wherein the GUI comprises a Java applet. Carc does teach that cgi bin scripts are executed and that any script technology may be used to remotely configure and update a network device (see col. 9, lines 60-65).

However, "Official Notice" is taken that the concept and advantages of using an applet to in a GUI is old and well known in the data processing art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carc by utilizing Java applet in the GUI to allow a browser to run a

Java program which can be distributed as an attachment in a World-Wide Web document to be executed by the browser.

As to claim 11, Carc fails to teach that a ping is used to discover configuration information. Carc does teach that the network devices are polled at intervals for configuration information (see col. 9-14).

"Official Notice" is taken that the concept and advantages of using ping is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carc by including a ping to poll devices since this represents a well known method of requesting an acknowledgment from devices attached to a network.

6. Applicant's arguments filed September 29, 2003 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that the Carc reference does not appear to relate to automatically determining configuration information and which ones are interested in it and propagate the configuration information.

In response, Carc discloses that network devices are queried to respond with information about the devices configuration information, those devices with acceptable responses are entered into the database to reflect the current status and configuration of the devices, those that respond with errors are ignored (see col. 11, lines 15-35).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157